

Deadlines Missed on Release of JFK Data

Review Board Not in Place; Agencies Have Not Produced Records

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There are plenty of scofflaws in town when it comes to the JFK records act, a House committee was told yesterday.

Not all of the offenders were listed at the hearing by name, but they include President Clinton, two congressional committees, the FBI, the Immigration and Naturalization Service, and the Office of Naval Intelligence (now the Naval Investigative Service).

The underlying principles of the law, according to the Senate report on the measure, are "independence, public confidence, efficiency and cost effectiveness, speed of records disclosure and enforceability," Washington lawyer James H. Lesar told the House Government Operations Committee yesterday.

Lesar, who is head of the non-profit Assassinations Archives and Research Center, added that with the law now more than a year old, "it can only be said that these principles have been repeatedly violated. At best, only 10 to 20 percent of the total universe of Kennedy assassination records has been released."

The law, enacted by Congress 13 months ago, called for public disclosure of all government records on

the 1963 assassination of President John F. Kennedy unless there are "clear and convincing" reasons for continued secrecy.

Government agencies and affected congressional committees were to make initial disclosures under the law no later than last Aug. 23. A five-member review board, appointed by the president and confirmed by the Senate, was to sift through remaining records and decide which should be made public. The board can hold hearings and subpoena witnesses and documents if necessary.

The deadline for Clinton to make his nominations under the law expired last Jan. 25, five days after his inauguration. His first four appointments were made public in late August and early September, but the formal nomination papers were not all sent to the Senate until late October, the White House said yesterday. The fifth name was submitted on Nov. 4.

Under the meticulously written law, the Senate Governmental Affairs Committee is supposed to hold confirmation hearings "within 30 days in which the Senate is in session after the nomination of three review board members."

With the 30th anniversary of the Kennedy assassination coming up Monday, there had been talk of holding hearings then, but it appeared yesterday that the Senate would adjourn this weekend. That would make it impossible for the review board to begin work until next year.

Steve Tilley, who is JFK liaison officer at the National Archives, where all the records are to be kept, confirmed yesterday that the FBI, the Immigration and Naturalization Service, the Naval Investigative Service, and both House and Senate intelligence committees have yet to produce a single page under the law.

The FBI, Lesar complained, also is taking the position in federal court that more than 265,000 pages of records it made available to the House Assassinations Committee in the late 1970s "are not Kennedy assassination records because they relate to organized crime activities."

It will be up to the review board to try to settle such disputes. Under the law, it was given three years at most "from the date of enactment" to do its work; more than a third of that time already has expired.